

- 10 -

REMARKS

To date, the Examiner has not indicated that the subject matter of the information disclosure statement (IDS) filed October 30, 2006 has been properly considered. A copy of such IDS is submitted herewith. If the Examiner requires additional copies of any reference(s), applicant invites the Examiner to contact the undersigned. Documentation in the file wrapper of the instant application confirming the Examiner's consideration of the appropriate reference(s) is respectfully requested.

The Examiner has refined the current rejection. As set forth below, such rejection is still deficient. However, despite such deficiencies and in the spirit of expediting the prosecution of the present application, applicant has incorporated the subject matter of dependent Claim 2 et al. into some of the independent claims. Since the subject matter of such dependent claim was already considered by the Examiner, it is asserted that such claim amendments would not require new search and/or consideration.

The Examiner has rejected Claims 1-6, 8-14, 33-39, and 41 under 35 U.S.C. 102(e) as being anticipated by Adam et al. (U.S. Publication No. 2002/0069164 A1). Further, the Examiner has rejected Claims 7, and 42 under 35 U.S.C. 103(a) as being unpatentable over Adam in view of Arnold et al. (U.S. Patent No. 6,016,504). In addition, the Examiner has rejected Claims 15-21, 23-32, and 40 under 35 U.S.C. 103(a) as being unpatentable over Adam. Applicant respectfully disagrees with such rejections, especially in view of the amendments made hereinabove to some of the independent claims. Specifically, applicant has amended some the independent claims to at least substantially include the subject matter of former dependent Claim 2 et al.

With respect to the independent Claims 33, and 42, the Examiner has relied on the following excerpt from the Adam reference to make a prior art showing of applicant's claimed "recording user actions taken by a user as part of the transaction" (see this or similar, but not necessarily identical language in the independent claims). Specifically,

- 11 -

the Examiner has stated that Adam teaches “record[ing] original submission of bill of materials for later use.”

“In an exemplary embodiment, a system for saving user information allows users to use the Internet to select a previously submitted bill of material. The network-based method for selecting a bill of material includes receiving bill of material specification information from a user and comparing the received bill of material specification information with pre-stored bill of material information. If at least one bill of material matches the received user criteria for the bill of material, the pre-stored bill of material information is downloaded for communication to the user. The bill of material information may include, for example, a quote name, a bid date, a bid type, a reference number, or the name of a user.” (Paragraph 0003 – emphasis added)

Applicant respectfully disagrees and asserts that the excerpt from Adam relied upon by the Examiner merely discloses “receiving bill of material specification information from a user and comparing the received bill of material specification information with pre-stored bill of material information” (emphasis added). However, the mere disclosure of receiving and comparing a bill of material specification information from a user simply fails to even suggest “recording user actions taken by a user as part of the transaction” (emphasis added), as claimed by applicant. In addition, the above excerpt from Adam only discloses “saving user information” and “pre-stored bill of material information” where such information includes “a quote name, a bid date, [etc.]”. Clearly such information relates to information submitted by the user, and not to “recording user actions taken by a user as part of the transaction” (emphasis added), as claimed.

Further, in the Office Action mailed 11/02/2006, the Examiner has argued on the bottom of Page 13 to the top of Page 14 that “the submission of identification information, is in fact a user action and therefore a record of information submitted by the user is essentially the same as a record of actions taken.” In addition, the Examiner has argued that “[t]he action in this case is the submission of information” and that ‘[a]ny other “actions,” would need to be explicitly claimed.’

- 12 -

Applicant respectfully disagrees with the Examiner's argument, and asserts that the action of submitting information, as argued by the Examiner, is not recorded in Adam. Adam only discloses "saving user information...[to allow] users to...select a previously submitted bill" and "pre-stored bill of material information" where such information includes "a quote name, a bid date, a bid type, a reference number, or the name of a user" (see Paragraph 0003). Clearly, the only data recorded in Adam is information submitted by the user, which is not the same as "a record of actions taken," as the Examiner notes. Thus, Adam simply fails to meet applicant's claimed "recording user actions taken by a user as part of the transaction" (emphasis added), as claimed.

Further, with respect to the independent Claims 33, and 42, the Examiner has failed to make a specific prior art showing of applicant's claimed "recording system actions taken by a system in response to the information and the user actions in order to generate results as part of the transaction," but instead has only generally stated that Adam discloses such claim language (see this or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that Adam does not even suggest "recording system actions taken by a system in response to the information and the user actions in order to generate results as part of the transaction," as applicant specifically claims. In particular, Adam only discloses "saving user information" and "pre-stored bill of material information" (see Paragraph 0003). Clearly such information does not even suggest recording any sort of system actions, let alone where such "system actions [are] taken by a system in response to the information and the user actions in order to generate results as part of the transaction" (emphasis added), as claimed.

In addition, with respect to the independent Claim 41, the Examiner has relied on Paragraphs 0020, and 0028-0043, along with Figures 4-16 from the Adam reference, at least in part, to make a prior art showing of applicant's claimed technique "wherein the transaction pattern includes: creation and actions associated with forms presented in a

- 13 -

web-interface with which a user submits information; ...[and] navigation of the user within the e-commerce process.”

Applicant respectfully asserts that the excerpts and figures from Adam relied upon by the Examiner merely disclose that “if the user indicates that the project is not new, server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12” (Paragraph 0028 - emphasis added). Further, Figures 4-16 in Adam generally disclose embodiments of various pages such as “FIG. 5 [which] shows an exemplary embodiment of an Add to Bill of Material page, as depicted in screen shot 210, which server 12 displays when Add to Bill of Material button 196 in FIG. 4 is selected” (Paragraph 0030 – emphasis added). In addition, Adam discloses that “FIG. 15 shows an exemplary embodiment of a recalled bill of material page, as depicted in screen shot 410, which includes a bill of material information area 412 that in turn includes a reviser name, a revision date, a revision number, a project name, a purchase order number, a creation date and a reference number” (Paragraph 0042 – emphasis added).

However, Adam’s mere disclosure that the server receives information from the user and retrieves a selected project from the database fails to teach a technique “wherein the transaction pattern includes: creation and actions associated with forms presented in a web-interface with which a user submits information; ...[and] navigation of the user within the e-commerce process” (emphasis added), in the manner as claimed by applicant. Further, Adam discloses an Add to Bill of Material page which the server displays when Add to Bill of Material button is selected, and a recalled bill of material page including bill of material information, both of which fail to teach a technique “wherein the transaction pattern includes: creation and actions associated with forms presented in a web-interface with which a user submits information; ...[and] navigation of the user within the e-commerce process” (emphasis added), in the manner as claimed by applicant. Clearly, the mere disclosure of recalled bill of material page, and displaying a page when a button is selected, as in Adam, simply fails to suggest that “the

- 14 -

transaction pattern includes: creation and actions associated with forms ...[and]
navigation of the user" (emphasis added), in the manner as claimed by applicant.

With respect to the 102 rejection, the Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. This criterion has simply not been met by the above reference, as noted above.

With respect to the 103 rejection, the Examiner is reminded that in order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

With respect to the first element of the *prima facie* case of obviousness and, in particular, the obviousness of combining the Adam and Arnold references, the Examiner argues that it would have been obvious "to include these steps to the disclosure of Adam so that users can see the particular vendors that provided each of the particular materials on the bill" and "[t]herefore if a one particular item on the bill was insufficient, the user will know the supplier from which it originated." To the contrary, applicant respectfully asserts that it would not have been obvious to combine the teachings of the Adam and Arnold references, especially in view of the vast evidence to the contrary.

- 15 -

For example, Adam relates to saving and recalling bill of material information, while Arnold relates to tracking the purchase of a product and services over the Internet. To simply glean features from a system for saving and recalling bill of material information, such as that of Adam, and combine the same with the *non-analogous art* of a system for tracking the purchase of a product and services over the Internet, such as that of Arnold, would simply be improper. In particular, Adam's saving and recalling bill of material information provides the option of retrieving a pre-stored bill of material, while Arnold discloses establishing and maintaining a virtual outlet ("VO") relationship on the Internet between an entity that controls and manages a Web site...and a merchant that controls and manages a different Web site where to the customer. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). See also *In re Deminski*, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986); *In re Clay*, 966 F.2d 656, 659, 23 USPQ2d 1058, 1060-61 (Fed. Cir. 1992). In view of the vastly different types of problems a system for saving and recalling bill of material information addresses as opposed to a system for tracking the purchase of a product and services over the Internet, the Examiner's proposed combination is inappropriate.

Further, applicant respectfully disagrees with the Examiner's argument that it would have been obvious "to include these steps to the disclosure of Adam so that users can see the particular vendors that provided each of the particular materials on the bill" (emphasis added). Applicant respectfully asserts that Arnold discloses that "[i]f a customer wishes...to purchase the product, the customer simply selects the image of the product...[such that w]hen the image is selected, the customer computer then requests access to the merchant Web page...[and that u]sing the merchant Web page, the customer can...purchase the product" (see Col. 5, lines 40-62). Thus, in Arnold the user purchases directly from the merchant, which would not allow "users [to] see the particular vendors

that provided each of the particular materials on the bill" (emphasis added), as noted by the Examiner.

More importantly, applicant respectfully asserts that the third element of the *prima facie* case of obviousness has also not been met. For example, with respect to Claim 42, the Examiner has relied on the following excerpt from the Adam reference to make a prior art showing of applicant's claimed "recording actions taken by the system which enable a user to access data," and "recording actions enabled by the data to retrieve content."

"Alternatively, if the user indicates that the project is not new, server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12. In one embodiment, the pre-stored information is stored in a database that resides on server 12. In an alternative embodiment, the pre-stored information is stored in a database remote from server 12. The pre-stored information includes various types of bill of material-related information. Server 12 compares the user provided information to the pre-stored information to determine if any pre-stored bill of material-related information contained in the database satisfy the product specifications submitted by the user." (Paragraph 0028 - emphasis added)

Applicant respectfully asserts that the excerpt from Adam relied upon by the Examiner merely discloses that "the pre-stored information is stored in a database" and that "[t]he pre-stored information includes various types of bill of material-related information" (emphasis added). However, the mere disclosure that the pre-stored information includes bill of material-related information, as in Adam, simply fails to even suggest "recording actions taken by the system which enable a user to access data," and "recording actions enabled by the data to retrieve content" (emphasis added), as claimed by applicant. In addition, applicant notes that the Examiner has argued that Adam teaches that the "server then receives identification information from the user and retrieves a selected project from a database resident on [the] server" to meet applicant's specific claim language. Applicant respectfully disagrees that a server receiving information and retrieving a selected project, as in Arnold, in any way discloses

- 17 -

"recording actions taken by the system" and "recording actions enabled by the data" (emphasis added), as applicant specifically claims.

Further, with respect to independent Claim 42, the Examiner has relied upon Col. 3, lines 23-37 from Arnold to make a prior art showing of applicant's claimed "storing the transaction pattern in memory, including: ...storing records relating to the navigation of a user during the transaction."

Applicant respectfully asserts that the excerpt from Arnold relied upon by the Examiner merely discloses that "the content-rich site is compensated only when the customer that it delivered to the selling site actually makes a purchase directly after linking from the content-rich site" (Col. 3, lines 31-33 – emphasis added). However, Arnold's mere disclosure of compensating a site after a customer makes a purchase after linking from the site simply fails to even suggest "storing the transaction pattern in memory, including: ...storing records relating to the navigation of a user during the transaction" (emphasis added), as claimed by applicant. Clearly, compensating for a purchase made after directly linking from a site, as in Arnold, fails to suggest "storing records ...during the transaction" (emphasis added), as claimed by applicant.

In addition, with respect to independent Claim 42, the Examiner appears to have relied upon Official Notice to make a prior art showing of applicant's claimed "executing the transaction pattern to automatically carry out the transaction upon receiving the user request for the transaction, including: ...recognizing a state of a remote application."

Specifically, the Examiner has stated that it would have been obvious for one of ordinary skill in the art at the time the invention was made to "allow the method of Adam to determine and recognize a variety of common application states so that the appropriate content can be pulled and organized from a variety of sources" and "[i]f the method of Adam did not perform this step than only some formats would be recognized and important data may not be forwarded on to the user."

- 18 -

Applicant respectfully disagrees. In particular, applicant respectfully asserts that Adam merely discloses that "if the user indicates that the project is not new, server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12" (Paragraph 0028 – emphasis added). Thus, the system of Adam would not need to "recogniz[e] a state of a remote application," in the manner as claimed by applicant, since Adam's selected project is retrieved from the database after receiving information from the user for a project that is not new.

Applicant thus formally requests a specific showing of the subject matter in ALL of the claims in any future action. Note excerpt from MPEP below.

"If the applicant traverses such an [Official Notice] assertion the examiner should cite a reference in support of his or her position." See MPEP 2144.03.

Additionally, with respect to independent Claim 42, the Examiner has relied on Paragraph 0028 from the Adam reference to make a prior art showing of applicant's claimed "executing the transaction pattern to automatically carry out the transaction upon receiving the user request for the transaction, including: ...submitting required parameters during the transaction."

Applicant respectfully asserts that the excerpt from Adam relied upon by the Examiner merely discloses that "if the user indicates that the project is not new, server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12" where "[t]he pre-stored information includes various types of bill of material-related information" (emphasis added). However, Adam's disclosure of that the pre-stored information includes bill of material-related information simply fails to even suggest "executing the transaction pattern to automatically carry out the transaction upon receiving the user request for the transaction, including: ...submitting required parameters during the transaction" (emphasis added), in the manner as claimed by applicant. Clearly, a bill of material-related information, as in

- 19 -

Adam, simply fails to meet “submitting required parameters,” “upon receiving the user request for the transaction,” in the context as claimed by applicant.

Also, with respect to independent Claim 42, the Examiner has relied on Paragraph 0028 from the Adam reference to make a prior art showing of applicant’s claimed “executing the transaction pattern to automatically carry out the transaction upon receiving the user request for the transaction, including: ... performing automatic navigation during the transaction.”

Applicant respectfully asserts that the excerpt from Adam relied upon by the Examiner merely discloses that “if the user indicates that the project is not new, server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12” (emphasis added). However, Adam’s disclosure of retrieving a project from a database after receiving identification information from the user simply fails to meet “executing the transaction pattern to automatically carry out the transaction upon receiving the user request for the transaction, including: ... performing automatic navigation during the transaction” (emphasis added), in the manner as claimed by applicant. Clearly, retrieving a selected project, as in Adam, fails to meet “performing automatic navigation,” in the manner as claimed by applicant.

Applicant respectfully asserts that at least the first and third elements of the *prima facie* case of obviousness have not been met, since there would be no motivation to combine the Adam and Arnold references, and since such prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially incorporated the subject matter of Claim 2 et al. into independent Claims 1, 16, 31 and 41, at least in part.

With respect to the subject matter of former Claim 2 et al. (now at least partially incorporated into independent Claims 1, 16, 31, and 41), the Examiner has relied on

- 20 -

Paragraphs 0003 and 0028 from the Adam reference to make a prior art showing of applicant's claimed technique "wherein the transaction pattern includes a record of: information submitted by a user, user actions taken by the user, system actions taken by a system in response to the information and the user actions in order to generate results, and the results that are sent to the user."

Applicant respectfully asserts that the excerpts from Adam relied upon by the Examiner merely discloses a "pre-stored bill of material" (Paragraph 0003) and that the "server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12" (Paragraph 0028-emphasis added). However, Adam's disclosure of the server receiving identification information from the user in order to retrieve a selected project from a database simply fails to suggest a technique "wherein the transaction pattern includes a record of: information submitted by a user, user actions taken by the user, system actions taken by a system in response to the information and the user actions in order to generate results, and the results that are sent to the user" (emphasis added), as claimed by applicant.

Further, in the Office Action mailed 11/02/2006, the Examiner has argued that "the submission of identification information, is in fact a user action and therefore a record of information submitted by the user is essentially the same as a record of actions taken" where "[t]he action in this case is the submission of information" and '[a]ny other "actions," would need to be explicitly claimed.'

Applicant respectfully disagrees with the Examiner's argument, and asserts that the action of submitting information, as argued by the Examiner, is not recorded in Adam. Adam only discloses "saving user information...[to allow] users to...select a previously submitted bill" and "pre-stored bill of material information" where such information includes "a quote name, a bid date, a bid type, a reference number, or the name of a user" (see Paragraph 0003). Clearly, the only data recorded in Adam is information submitted by the user, which is not the same as "a record of actions taken," as the Examiner notes. Thus, Adam simply fails to meet applicant's claimed "record

- 21 -

of...user actions taken by a user, [and] system actions taken by a system in response to the information and the user actions in order to generate results" (emphasis added), as claimed.

Specifically, applicant respectfully asserts that Adam merely discloses that "server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12" (emphasis added) which fails to even suggest that "the transaction pattern includes...user actions taken by the user" (emphasis added), in the manner as claimed by applicant. Clearly, receiving information for a user, as in Adam, fails to suggest that the "transaction pattern includes...user actions" (emphasis added), in the manner as claimed by applicant.

Further, applicant respectfully asserts that Adam merely discloses that "server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12" (emphasis added) which fails to even suggest that "the transaction pattern includes...system actions taken by a system in response to the information and the user actions" (emphasis added), in the manner as claimed by applicant. However, Adam's disclosure of receiving information from the user, and retrieving a project from a database fails to suggest that the "transaction pattern includes...system actions taken by a system in response to the information and the user actions" (emphasis added), in the manner as claimed by applicant. Clearly, retrieving a project from a database, as in Adam, fails to meet "system actions taken by a system in response to the information and the user actions" (emphasis added), in the manner as claimed by applicant.

Again, the foregoing anticipation criterion has simply not been met by the above reference, especially in view of the amendments made hereinabove. Thus, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Applicant further notes that the prior art is also deficient with respect to the dependent claims. For example, with respect to Claim 12, the Examiner has relied on Paragraph 0028 in Adam to make a prior art showing of applicant's claimed technique "wherein the execution of the transaction pattern involves automatic navigation during the transaction." Specifically, the Examiner has argued that, in Adam, "the presentment of a previously submitted bill of material is an automatic navigation of the previous steps the user had to perform in order to generate said bill of materials."

Applicant respectfully disagrees and asserts that Adam only discloses that "the pre-stored bill of material is downloaded" (see Paragraph 0003). In addition, Paragraph 0028 in Adam relates to comparing user provided information to pre-stored information for determining if a pre-stored bill of material-related information is associated with such user provided information. Thus, in Adam the pre-stored bill of material is retrieved via a download thereof, which does not suggest that "the execution of the transaction pattern involves automatic navigation during the transaction" (emphasis added), as applicant claims.

In the Office Action mailed 11/2/2006, the Examiner has argued that automatic navigation is interpreted to mean "arriving at the same prior result without outside interference." Applicant respectfully disagrees and again respectfully asserts that the excerpts relied on by the Examiner only relate to retrieval of the pre-stored bill of material, and not to execution of the transaction pattern, in the context claimed by applicant. In addition, Adam simply discloses "providing the user the option of ordering the product on the bill of material" (see Abstract), but not how such ordering is executed. Thus, Adam simply does not meet applicant's specifically claimed technique "wherein the execution of the transaction pattern involves automatic navigation during the transaction," as claimed.

With respect to Claim 15 et al., the Examiner has taken Official Notice in rejecting applicant's claimed technique "wherein the execution of the transaction pattern includes recognizing a state of a remote application."

- 23 -

Specifically, the Examiner has stated that it would have been obvious for one of ordinary skill in the art at the time the invention was made to "allow the method of Adam to determine and recognize a variety of common application states so that the appropriate content can be pulled and organized from a variety of sources" and "[i]f the method of Adam did not perform this step than only some formats would be recognized and important data may not be forwarded on to the user."

Applicant respectfully disagrees. In particular, applicant respectfully asserts that Adam merely discloses that "if the user indicates that the project is not new, server 12 then receives identification information from the user and retrieves 104 a selected project from a database resident on server 12" (Paragraph 0028 – emphasis added). Thus, the system of Adam would not need to "recogniz[e] a state of a remote application," in the manner as claimed by applicant, since Adam's selected project is retrieved from the database after receiving information from the user for a project that is not new.

Applicant thus formally requests a specific showing of the subject matter in ALL of the claims in any future action.

In the Office Action mailed 11/2/2006, the Examiner has argued that "Adams does explicitly disclose remote applications (see paragraph 0025)." Applicant respectfully disagrees that simply disclosing a "workstation 54 located at a remote location," as in Adam, even suggests "recognizing a state of a remote application" (emphasis added), as applicant claims. In addition, applicant respectfully asserts that it would be useless to recognize a state of the remote workstation in Adam in view of the purpose of Adam's invention, namely to save and recall bill of material information stored on a server (see Paragraph 0028).

Again, applicant respectfully asserts that the Adam reference, when taken alone and in combination with the Arnold reference, fails to meet all of applicant's specific claim language, as noted above. Thus, a notice of allowance or specific prior art showing

- 24 -

of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

To this end, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NVIDP371/P002178).

Respectfully submitted,
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International Application Number:	
Confirmation Number:	7341
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First Named Inventor/Applicant Name:	Umar A. Khan
Customer Number:	28875
Filer:	Kevin Joseph Zilka
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Filed	NVIDP371_IDS_1449_10-30-2006.pdf	248490	no	3
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
2	Fee Worksheet (PTO-875)	fee-info.pdf	8209	no	2
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